

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

EMMITT GRIER, JR.,)	
)	
Plaintiff,)	
)	Civil Action No. 05-005
V.)	
)	Judge Sean J. McLaughlin
SUPERINTENDENT EDWARD J.)	Mag. Judge Susan Paradise Baxter
KLEM; ERIE COUNTY DISTRICT)	
ATTORNEY; COMMONWEALTH OF)	
PENNSYLVANIA; OFFICE OF)	
THE PROTHONOTARY,)	
)	
Defendants.)	Electronically Filed

ORDER

AND NOW, to-wit, this _____ day of _____ 2005, upon consideration of the foregoing Motion to Dismiss filed on behalf of defendant Superintendent Edward J. Klem, IT IS HEREBY ORDERED that the motion is GRANTED.

BY THE COURT:

SUSAN PARADISE BAXTER
United States Magistrate Judge